

Application Number 	Application/Control No. 10/004,563	Applicant(s)/Patent under Reexamination HLUCHYJ, MICHAEL G.

Document Code - DISQ

Internal Document – DO NOT MAIL

TERMINAL DISCLAIMER	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
Date Filed : December 10, 2007	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:

Henry D. Jefferson

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:	21-Apr-08	APPL. S. N.:	10004563
To Examiner:	HYUN, SOON-DONG	Art Unit	2616
From	Jefferson, Henry PARALEGAL SPCEIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68

SUBJECT: Decision on Terminal Disclaimer(T.D.) filed:

INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE. When your action is complete,

please initial, date and return this memo to me. THANK YOU.

- The T.D. is PROPER and has been recorded (see 14.23).
- The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):
- The TD fee of [REDACTED] has not been submitted nor is there any authorization in the application file for the use of a deposit account
 - The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).
 - The T.D. lacks the enforceable only during common ownership clause - needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).
 - The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).
 - The person who signed the T.D.:
 - is not an attorney "of record" (see 14.29 and 14.29.01).
 - has failed to state his/her capacity to sign for the business entity (see 14.28).
 - is not recognized as an officer of the assignee (see 14.29 & possible 14.29.02).
 - No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).
 - The T.D. is not signed (see 14.26 & 14.26.03).
 - The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).
 - The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).
 - The period disclaimed is incorrect or not specified (see 14.26, 14.27.02 or 14.26.03).
 - Other: [REDACTED]
 - Suggestion to request refund (see 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.

I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.

Ex.Initials: _____ Date: _____

Log Date:

PATENT
Attorney Docket No. SNS-008C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):	Hluchyj	CONF. NO.:	8387
APPLICATION NO:	10/004,563	GROUP NO:	2616
FILING DATE:	12/05/2001	EXAMINER:	Hyun, Soon D.
TITLE:	Apparatus and Method for a Telephony Gateway		

Terminal Disclaimer

In accordance with 37 C.F.R. §3.73(b), I, Charles J. Gray, state that I am a representative authorized to sign on behalf of Sonus Networks, Inc., identified below as the assignee of the entire right, title and interest in and to the above-identified patent application, U.S. Application No. 10/004,563. I, along with legal counsel, have reviewed all the evidentiary documents accompanying or referred to in the instant Terminal Disclaimer and certify that, to the best of my knowledge and belief, title to the above-identified application is in the name of Sonus Networks, Inc..

Sonus Networks, Inc. of 7 Technology Drive, Westford, MA 01886, is the assignee of the entire right, title and interest in and to U.S. Application No. 10/004,563 by virtue of the Assignment recorded in the United States Patent and Trademark Office at Reel 012604, Frame 0004, on February 11, 2002 by the inventors in this application to Sonus Networks, Inc.

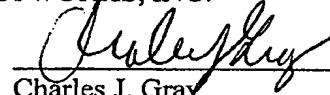
Sonus Networks, Inc. hereby waives and disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the full statutory term (which may be longer than seventeen (17) years) of U.S. Patent No. 6,381,238, which issued on April 30, 2002, and hereby agrees that any patent so granted on U.S. Application No. 10/004,563 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,381,238, this agreement to run with any patent granted on U.S. Application No. 10/004,563 and to be binding upon the Assignee, its successors or assigns.

Sonus Networks, Inc. does not disclaim any terminal part of the term of any patent granted on U.S. Application No. 10/004,563 prior to the expiration date of the full statutory term of U.S. Patent No. 6,381,238, in the event that any said patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole, or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, if any, except for the separation of legal title stated above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made in the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SONUS NETWORKS, INC.

By:



Charles J. Gray

Title:

Vice President and General Counsel

Date:

December 10, 2007